

# HOUSE . . . . . No. 2879

By Mrs. Owens-Hicks of Boston, petition of Shirley Owens-Hicks and others for legislation to prevent youth and gang violence. Public Safety and Homeland Security.

## The Commonwealth of Massachusetts

### PETITION OF:

Shirley Owens-Hicks	Timothy J. Toomey, Jr.
Benjamin Swan	James B. Leary
Patricia D. Jehlen	Gloria L. Fox

In the Year Two Thousand and Five.

### AN ACT TO PREVENT YOUTH AND GANG VIOLENCE.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 6 of the General Laws is hereby amended  
2 by adding after section 204, inserted by section 2 of chapter 607  
3 of the acts of 1989, the following three sections:—

4 Section 205. There is hereby established the Massachusetts  
5 Youth Violence and Gang Prevention Commission, hereinafter  
6 referred to as the commission. The commission shall be composed  
7 of fifteen members, to be appointed by the governor, including the  
8 following: the commissioner of youth services, the commissioner  
9 of public health, the commissioner of social services, the commis-  
10 sioner of education, the secretary of public safety, two members  
11 of the house of representatives, and one member of the senate, and  
12 seven persons, two of whom shall be graduates of youth violence  
13 programs, who have demonstrated their knowledge of and interest  
14 in youth and gang violence prevention, or their designees.

15 Each appointed member of the board shall serve for a term of  
16 three years, provided that of the initial appointees, three of the ini-  
17 tial appointees shall serve for a term of three years, two shall  
18 serve for two years, and two shall serve for one year. Any member  
19 shall be eligible for reappointment.

20 There shall be an executive committee of the commission, con-  
21 sisting of the commissioner of youth services and four additional  
22 members elected annually by the commission. The executive com-  
23 mittee shall, at the commencement of its session, elect the various  
24 officers of the committee.

25 The commissioner of youth services shall serve as chairman of  
26 the whole commission. In addition to the executive committee, the  
27 commission may elect other officials and committees as it deems  
28 appropriate.

29 The commission shall have the power to receive and expend  
30 monies from the Violence Prevention Fund established in section  
31 thirty-five K of chapter ten, without further appropriation, for the  
32 expenses of the commission and the costs of programs funded by  
33 the commission; provided that no more than one hundred and fifty  
34 thousand dollars shall be expended in any fiscal year for the  
35 expenses of the commission; and provided, further, that any pro-  
36 grams which the commission funds must be within the purview of  
37 sections two hundred and six and two hundred and seven.

38 Section 206. The commission shall have, but shall not be lim-  
39 ited to, the following powers and duties: to contract with public or  
40 private non-profit organizations, agencies, schools, or qualified  
41 individuals, or to issue grants to cities, towns, or their political  
42 subdivisions, for the purpose of establishing community and  
43 school-based programs to teach and promote alternatives to vio-  
44 lence, to provide incentives for youths to avoid youth gangs and  
45 stay in school and, to create opportunities for high risk youth to  
46 build positive self-esteem, non-violent communication skills and  
47 job skills; to facilitate the exchange of information between  
48 groups concerned with youth and gang violence; to consult with  
49 state and federal departments, agencies, commissions and boards  
50 to determine the need, probable effectiveness, and fiscal sound-  
51 ness of proposed educational and service programs for the preven-  
52 tion of youth violence and youth gang formation; to annually  
53 evaluate the violence and gang prevention programs under con-  
54 tract, or receiving grant funding under this section and to evaluate  
55 the success in attaining program goals; reduction in youth vio-  
56 lence or gang membership and gang violence in a geographic  
57 service area; development of techniques for the early identifica-  
58 tion of at-risk youths; and the compilation and empirical data and

59 generating statistics on youth violence and youth gangs; and to  
60 establish, by a majority vote of its membership, procedures,  
61 guidelines, rules and regulations to govern the operation of the  
62 commission; including a requirement to annually report to the  
63 governor and the general court the results of programs funded by  
64 the commission, and recommendations for additional state action.

65 Section 207. The commission shall establish and maintain the  
66 commission Job Bank; to develop a network of information on  
67 jobs and job training programs available in private industry,  
68 municipalities, school districts and regional and community-based  
69 organizations; to determine the degree and extent of unemploy-  
70 ment among at-risk youth; to make recommendations on the  
71 development of job training programs in geographic regions or  
72 economic sectors of the commonwealth. The commission shall  
73 work cooperatively with the department of manpower develop-  
74 ment and the division of employment security in meeting the  
75 requirements of this section.

1 SECTION 2. Chapter 10 of the General Laws, is hereby  
2 amended by inserting after section 35J, inserted by section 2 of  
3 chapter 121 of the acts of 1990, the following section:—

4 Section 35K. There shall be established and set up on the books  
5 of the commonwealth a separate fund to be known as the Massa-  
6 chusetts Violence Prevention Fund. Said fund shall consist of all  
7 revenues received by the commonwealth under the provisions of  
8 section six H of chapter sixty-two, from public and private  
9 sources as state appropriations, gifts, grants, and donations, and  
10 from the federal government as reimbursements, grants-in-aid or  
11 other receipts, to further the purposes of said fund. All revenues  
12 credited to said fund under this section shall remain in said fund,  
13 not subject to further appropriation, for application to the pur-  
14 poses of the fund.

15 The state treasurer shall be the treasurer of the fund and he  
16 shall deposit monies in the fund in accordance with the provisions  
17 of sections thirty-four and thirty-four A of chapter twenty-nine in  
18 such manner as will secure the highest interest rate available con-  
19 sistent with safety of the fund and with the requirement that all  
20 amounts on deposit be available for the immediate withdrawal at  
21 any time.

22 Said fund shall be administered by the Massachusetts Youth  
23 Violence and Gang Prevention Commission established in section  
24 two hundred and five of chapter six, and expenditures from the  
25 fund shall be made only for the purpose stated in sections two  
26 hundred and five through two hundred and seven of said chapter  
27 six.

1 SECTION 3. Chapter 62 of the General Laws is hereby  
2 amended by inserting after section 6G, inserted by section 27 of  
3 said chapter 121, the following section:—

4 Section 6H. Every individual who files a separate return and  
5 every husband and wife filing a return jointly may voluntarily  
6 contribute all or part of any refund to which they are entitled, or  
7 may voluntarily add an amount onto any amount due, to be cred-  
8 ited to the Massachusetts Violence Prevention Fund established  
9 pursuant to section thirty-five K of chapter ten.

10 A contribution made under this section may be made with  
11 respect to any taxable year at the time of filing a return of the tax  
12 established by this chapter for such taxable year; provided, how-  
13 ever, that the commissioner shall prescribe the manner in which  
14 such contribution shall be made on the face of the return required  
15 by section five of chapter sixty-two C; and, provided further, that  
16 the commissioner shall assure that taxpayers filing any such forms  
17 are made clearly aware of their ability to make the contributions  
18 provided for by this section.

19 The commissioner shall annually report the total amount desig-  
20 nated under this section to the state treasurer, who shall credit  
21 such amount to said Massachusetts Violence Prevention Fund.